

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0852-01
Bill No.: HB 280
Subject: Ambulances and Ambulance Districts; Emergencies; Health Care; Health
Department
Type: Original
Date: January 22, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Health** and the **Department of Insurance** assume this proposal would not fiscally impact their agencies.

Officials from the **Office of Secretary of State (SOS)** state this proposal requires the Department of Health to promulgate rules to implement new ambulance regulations. SOS states that based on experience with other divisions, the rules, regulations, and forms issued by the Attorney General could require as many as 24 pages in the Code of State Regulations. For any given rule, roughly half again as many pages are published in the Missouri Register in the Code because cost statements, fiscal notes, and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the Missouri Register is \$23. The estimated cost of a page in the Code of State Regulations is \$27. The actual cost could be more or less than the numbers given. The fiscal impact of this proposal in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded, or withdrawn.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from **Ste. Genevieve County Memorial Hospital, Newton County Ambulance District, St. Charles County Ambulance District, Vallee Ambulance District, Mid-Mo Ambulance District, Stoddard County Ambulance District, Taney County Ambulance District** did not respond to our fiscal impact request.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal would make changes to laws governing ambulance services. The proposal would: (1) Allow, upon voter approval, ambulance boards to increase to 7 members or decrease to 5 or 3 members; (2) Allow for the recall by petition of an ambulance board member. If a board member is recalled, the election authority must order an election for a new member at the next scheduled public election; (3) Remove the requirement that Cass, Bates, Henry, Johnson, and St. Clair counties have a mobile emergency medical technician in the ambulance when transporting a patient; (4) Require most counties to have at least 2 licensed individuals when transporting a patient; (5) Require ambulance owners to notify the Department of Health upon the sale or transfer of any ambulance service license. The department must inspect the new service to verify compliance with licensure standards; (6) Change requirements for the county letter of endorsement to the department for new ambulance service within unincorporated portions of a county. The letter must state the public health benefits of the service and show that the service has the expertise and resources to operate the service; (7) Requires all ambulance services, including services in St. Louis City, to maintain adequate insurance coverage or proof of financial responsibility with adequate reserves maintained. Provisions for the self-insurance of St. Louis City ambulance services are removed; (8) Expand causes for which a complaint may be filed with the Administrative Hearing Commission against an ambulance service; (9) Forbid relicensure of any individual whose license has been revoked twice within a 10-year period; (10) Require a patient care report to be completed for each run on which are entered pertinent remarks by a registered nurse or physician. A patient care report is also required to be given by a health care facility when a patient is transferred to another facility; and (11) Require ambulance services to report to the department within 72 hours of their having knowledge of certain felony charges filed against an employee of the licensee. The employee of a service is also required to notify the service of such charges within 72 hours.

The proposal also contains provisions related to the regulation of stretcher van services. A stretcher van service is a person or agency that provides transportation to passengers who are confined to stretchers vans and whose conditions are not likely to need medical attention during transportation. The proposal would: (1) Require any person, owner, or agent to be licensed by the Department of Health if the person or entity advertises, operates, maintains, engages, or proposes to engage in the transport of persons confined to stretchers. The department can issue such licenses for a period of 5 years; (2) Allow political subdivisions who are authorized to provide ambulance service to adopt ordinances and regulations governing the use of stretcher vans as long as those regulations are as strict as the minimum state standards. Ordinances and regulations in effect prior to August 28, 2001, may continue to be enforced by any political

DESCRIPTION (continued)

subdivision; (3) Allow the governing body in St. Louis County to set standards for all stretcher van services. Any service in the county must be licensed by the state. The county may not prohibit a licensed service from operating in the county as long as the service meets county standards; (4) Require stretcher vans to operate with a 2-person crew; (5) Require stretcher van operators to immediately contact the appropriate ground ambulance service if a passenger's medical condition deteriorates; (6) Prohibit services from transporting persons currently admitted to a hospital or persons being transported to a hospital for admission or emergency treatment; (7) Require the department to establish regulations requiring adequate insurance, vehicle maintenance and specifications, passenger safety, and service records and reports; (8) Require the department to establish the application forms for stretcher van service licenses in order to ensure compliance with rules; (9) Require services to notify the department upon the sale or transfer of any service license. The department must inspect the new service to verify compliance with licensure standards; (10) Allow the department to refuse to issue or deny renewal of a stretcher van license for failure to comply with the law or any regulation promulgated by the department. Guidelines for disciplinary action and relicensure are established. The department may cause a complaint to be filed with the Administrative Hearing Commission against a licensee for noncompliance with regulations. Procedures are established for the notification of the applicant that a license has been refused and for the applicant to file a complaint with the Administrative Hearing Commission. An individual whose license has been revoked must wait one year to apply for relicensure. The department may notify any other state in which a person is licensed of a suspended or revoked license in this state; (11) Protect any person or organization from civil damage when in good faith the person provides information to the department regarding stretcher van regulations; (12) Allow the department to suspend a license if the department finds that there is an imminent threat to public health. The department must file a complaint with the Administrative Hearing Commission upon the suspension. Procedures are established for the suspension and appeal of such suspension; and (13) Give the Attorney General concurrent jurisdiction with all prosecuting attorneys to prosecute persons in violation of these laws and regulations. Injunctive proceedings may be instituted against persons in violation. Persons violating these laws are guilty of a class B misdemeanor. Each day that any violation continues constitutes a separate offense, but the court may stay the cumulative penalties.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Health
Department of Insurance
Office of Secretary of State

NOT RESPONDING: Ste. Genevieve County Memorial Hospital, Newton County Ambulance District, St. Charles County Ambulance District, Vallee Ambulance District, Mid-Mo Ambulance District, Stoddard County Ambulance District, Taney County Ambulance District

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "e" at the end.

Jeanne Jarrett, CPA
Director

January 22, 2001